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UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE, CALIFORNIA

SHIA ASSOCIATION OF THE BAY AREA;
 DR. NABI RAZA MIR; SYEDA ZAHERA;
 AHMED MIR; ALI MIR,

Plaintiffs,

vs.

MICHAEL CHERTOFF, Secretary,
 Department of Homeland Security;
 ALBERTO GONZALES, Attorney General,
 United States;
 EMILIO GONZALEZ, Director, United
 States Citizenship & Immigration
 Services;
 CHRISTINA POULOS, Director,
 California Service Center;
 GERARD HEINAUER, Director, Nebraska
 Service Center,

Defendants.

No. _____

[Proposed] Order Granting
 Injunctive Relief

Date:

Time:

Courtroom: _____

1 After considering the moving papers filed in this action, the
2 Court declares that:

3 Defendants' acts and omissions complained of in Plaintiffs'
4 Complaint violate the Immigration and Nationality Act, the
5 Administrative Procedure Act, the Due Process and Equal
6 Protection Clauses of the Fifth Amendment of the U.S.
7 Constitution, and the Free Exercise of Religion Clause of the
8 First Amendment of the U.S. Constitution.

9 **IT IS ORDERED that:**

- 10 1. Defendants accept the adjustment of status applications
11 and applications for employment authorization of
12 Plaintiffs Dr. Nabi Raza Mir, Ms. Syeda Zahera, Ahmed Mir,
13 and Ali Mir as of the original date of receipt, June 1,
14 2007;
- 15 2. Defendants refrain from determining that the above-
16 mentioned Plaintiffs accrued unlawful presence, worked
17 without authorization, or that they failed to maintain
18 lawful status, for more than 180 days prior to filing
19 their applications for adjustment of status;
- 20 3. Defendants refrain from otherwise determining that the
21 above-mentioned Plaintiffs violated the terms and
22 conditions of their non-immigrant visas prior to the
23 filing of their adjustment of status applications;
- 24 4. Defendants refrain from calculating any unlawful presence
25 accrued by the above-mentioned Plaintiffs until there is a
26 final decision on their I-360 petitions;
- 27 5. Defendants expeditiously adjudicate the above-named
28 Plaintiffs' requests for employment authorization.

29 **SO ORDERED.**

30 **DATE:** _____

UNITED STATES DISTRICT JUDGE